



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, WA 98101

JAN 21 2003

Reply To  
Attn Of: OAQ-107

Mr. Patrick A. Takasugi, Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 790  
Boise, Idaho 83701

Re: EPA's Perspective on Idaho's Agricultural Field Burning Program

Dear Mr. Takasugi:

The purpose of this letter is to share our perspective on Idaho's agricultural field burning program. As we have discussed with you, the Environmental Protection Agency (EPA) Region 10 Office has been working closely with your agency, and with the Idaho Department of Environmental Quality (IDEQ), the Coeur d'Alene Tribe, and the Nez Perce Tribe in an ongoing effort to assess the effectiveness of the Crop Residue Disposal Rules, smoke management plan (SMP) operations, and future needs. We greatly appreciate the cooperation we have received from all the parties. We also acknowledge there have been a number of improvements in recent years, such as adoption of the statewide rules and new state-tribal agreements for more coordinated smoke management. However, even in areas where an effective SMP is possible, important aspects must be addressed in order to better protect air quality and avoid unintended impacts to public health and welfare.

The primary areas of improvement to focus on are: increasing Idaho's staffing level in order to better develop and implement the statewide field burning program, enhancing technical resources and the decision-making structure to ensure more credible and science-based smoke management decisions, reducing unauthorized burning through additional compliance and enforcement tools, improving information available to the public on daily burning activities, and pursuing opportunities to reduce smoke emissions through financial incentives to growers and adoption of alternatives to burning. These and other issues are discussed further below.

It is important to note, however, that these comments relate primarily to the basic infrastructure of Idaho's field burning program, and not to site-specific concerns or solutions. Some areas of the State, such as the Rathdrum Prairie, may require solutions other than smoke management in order to adequately protect public health and welfare.

Program Staffing: With the responsibility of administering statewide field burning rules, there is a need for Idaho to have adequate staffing to oversee program development and implementation. Currently, there are no permanent staff within the Idaho State Department of Agriculture (ISDA) with full-time responsibility for these duties - even during the burn season. In contrast, both the Oregon Department of Agriculture and the Washington Department of Ecology have full-time program coordinators and support staff devoted to field burning. We are encouraged to hear that a new staff position is being sought through the Idaho Legislature this year to help address this critical need.

Technical Resources and Ability: For the past 2 years, EPA has been providing funds to IDEQ to assist with their technical support of Idaho's field burning program. However, these "pilot" funds are now exhausted and we are concerned about how Idaho plans to conduct future regional weather forecasting, integrate local weather information (such as pilot balloon and ambient air quality data), and make the county-level burn and acreage limit recommendations. With technology rapidly evolving in areas such as meteorology, air modeling, and air monitoring to support smoke management efforts, so too is the need for burn programs to acquire technical expertise to use these tools. We encourage Idaho to find a long-term solution to the technical services needed for a credible field burning program.

Local Smoke Management Coordinators and Burn Decision Process: EPA recognizes the value in having on-the-ground staff in key airsheds to assist in implementing the program. They are able to collect local weather and air quality data, visually track smoke dispersion and changing weather conditions, and they provide a valuable communication link with the farmers - keeping track of who wants to burn and when, giving approval/disapproval for igniting individual fields, encouraging post-burn reporting, and monitoring compliance with the program. However, under the current structure, we believe the local staff are given too much responsibility and discretion for making daily burn decisions. This is a reason for concern because they:

- may not have the proper training, skills, or time to assimilate and interpret both the local and regional information needed to make appropriate burn decisions;
- are typically not able to track smoke dispersion and burn activity outside their local areas which can lead to downwind regional air quality impacts;
- are employed in only the most smoke-sensitive areas of the state; and
- are subjected to direct pressure from local interests to alter burn decisions.

Our collaborative review of the 2002 burn season revealed there were several times when the recommended acreage limit from the State's meteorological service were exceeded by the local coordinators. Reportedly, their decisions to increase acres allowed to burn were based mostly on local observations of smoke dispersion and a reliance on local air quality monitoring data, if available. While these are important sources of information, there are other factors that

should be considered in burn decisions, such as regional weather conditions that can affect smoke behavior miles away, smoke moving into populated areas without air quality monitors, real-time feedback and complaints from the public, and other burn activities in the region that can lead to cumulative impacts in sensitive airsheds.

We are aware of and understand the growers' concerns with daily burn limits, but providing an upper limit based on what the science-based tools predict as safe is integral to an effective program. We recognize that on days with excellent local and regional ventilation, it may be appropriate to allow burning beyond what was originally recommended. However, this decision should ultimately be approved by a well-qualified burn authority that is looking at the complete regional air quality, burn activity, and meteorological picture. Such a program structure creates conditions for a better balance between the need to protect air quality and the growers desire to burn.

**Unauthorized Burning:** We have unfortunately heard reports of widespread unauthorized burning in Idaho during the 2002 burn season. This included unauthorized burning by growers on both "burn" and "non-burn" days. Such actions undermine the effectiveness and credibility of the State's field burning program, creates an unfair advantage and economic benefit for those not complying with the rules, and increases the potential for serious health impacts to the public.

**Penalty Authority:** The lack of a penalty authority in the Crop Residue Disposal Rules results in unauthorized burning with little or no consequences. Even if the State investigates and confirms unauthorized burning, we understand that the "punishment" consists of giving low priority to the offender for subsequent burn approvals in the future. This is unlikely to be much of a deterrent to those growers who are already not following the rules.

**Public Information:** There have been many complaints about the need to improve the nature, accuracy, and timeliness of information available to the public on field burning. A number of measures could be taken by Idaho in coordination with the Tribes and affected communities to improve information available on burn decisions, burn amounts, potential smoke travel and dispersion, and other valuable information such as real-time air quality. EPA is already providing support to a number of projects which may assist Idaho in meeting some of these needs. For example, the BlueSky-RAINS website is being developed by the U.S. Forest Service and EPA as a regional clearinghouse of smoke management technical tools and related air quality information.

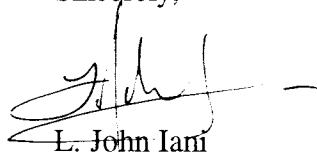
**Alternatives to Burning:** EPA encourages Idaho to vigorously pursue additional research and accelerated adoption of nonthermal crop residue management techniques. This is especially critical in sensitive areas where smoke from burning routinely leads to adverse community impacts, such as the Rathdrum Prairie. In 1998, Washington State certified that "mechanical residue management is a practical alternative to grass field burning" after an exhaustive research effort that looked at over 300 studies related to the issue. For other crops such as cereal grains, EPA encourages Idaho to help growers increase the use of direct seed cropping systems. Direct seed farming utilizes crop residues as an integral part of a farming operation and can drastically

increase soil quality and nutrients, while reducing soil erosion and the need for burning. Additionally, opportunities may be available to help research, promote, and fund conversion to nonthermal agricultural practices through new and existing programs administered by the U.S. Department of Agriculture under the latest Farm Bill.

Finally, we realize there have been many changes over the last few years in the development of Idaho's field burning program. While many positive changes have taken place, the changing rules and agency roles, and the development of area-specific smoke management plans can lead to confusion on what the overall field burning program looks like in Idaho. Therefore, it may be useful to develop a comprehensive document that represents the complete picture of field burning in Idaho. The document could be used as a tool to educate all interested stakeholders on the program and as a dynamic framework for assessing and improving program performance in the future.

We understand that Idaho is conducting its own assessment of the 2002 field burning season and we look forward to seeing the results and working with you and other stakeholders to develop workable improvements. If you have any questions, please call me at (206) 553-1234, or have your staff contact Scott Downey, in our Office of Air Quality, at (206) 553-0682.

Sincerely,

A handwritten signature in black ink, appearing to read "L. John Iani", with a horizontal line extending to the right.

L. John Iani  
Regional Administrator

cc: Stephen Allred, Administrator, Idaho Department of Environmental Quality  
Michael Bogert, Counsel to the Governor  
Samuel Penney, Chairman, Nez Perce Tribe  
Ernest Stensgar, Chairman, Coeur d'Alene Tribe  
Curt Thornburg, Idaho State Department of Agriculture